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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,135	01/11/2002	Kiran Venkatesh Hegde	50023.08USU1	9254
23552	7590	05/17/2004	EXAMINER	
MERCHANT & GOULD PC P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			LY, ANH	
		ART UNIT		PAPER NUMBER
		2172		
DATE MAILED: 05/17/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/046,135	HEGDE ET AL. 	
	Examiner	Art Unit	
	Anh Ly	2172	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 11 January 2002.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-19 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-19 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. _____.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.

5) Notice of Informal Patent Application (PTO-152)

6) Other: _____.

DETAILED ACTION

1. This Office Action is response to Applicants' communications filed on 01/11/2002.
2. Claims 1-19 are pending in this application.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,262,724 issued to Crow et al. (hereinafter Crow) in view of Pub. No. US 2002/0124100 A1 of Adams.

With respect to claim 1, receiving a request for a rich media presentation from the device before the device requests to play a media package (the media package including user interfaces of RealPlayers from RealNetworks for windows Media players such as LaserDisc players: col. 2, lines 18-28, lines 58-67 and col. 3, lines 1-32);

detecting attributes relating to the device (one of attribute for detecting devices such as media authoring systems which allow the media to be created and edited (col. 18, lines 28-38 and col. 1, lines 55-65);

generating the rich media presentation for the device (creating media files: col. 18, lines 30-38); and

providing the rich media presentation to the device (transferring the media to device on the system over the Internet network: col. 27, lines 5-8 and col. 8, lines 1-20).

Crow teaches using graphical user interface for presentation of media, media player display window for displaying, playing, controlling media presentation device (see figs. 3-5) and other digital processing device (col. 7, lines 30-48) and media player (col. 8, lines 40-67) and a network of computer system in which media data may be presented to the Internet and web pages or HTML documents or web contents with the clients of the system via LAN (see fig. 1). Crow teaches HTML documents as a language attribute and does not clearly indicate wherein the rich media presentation is optimized for the device based on the detected attributes.

However, Adams teaches attribute of devices to be detected such as streaming media players for firewalls, security devices used by business and large organization (Page 1, section 0005 and section 0009), bandwidth requirements attribute for streaming media (Page 1, section 0007) and a set of different language audio presentation (Pages 7 and 8, section 0048).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Crow with the teachings of Adams so as to have a set of attributes for streaming media to the computer system over a Internet network from which the system enable to access from a plurality of users. The motivation being to have a system having GUI for user to access and to control the streaming media for presentation of media data via a time based media player display window over the Internet network.

With respect to claim 2, Crow teaches generating a virtual player optimized for the device (execution code in the software package to the devices of the system that provides functionality for the presentation of media: col. 26, lines 20-67 and col. 8, lines 8-20 and HTML documents: col. 6, lines 10-22); generating a presentation package optimized for the device (execution code in the software package to the devices of the system that provides functionality for the presentation of media: col. 26, lines 20-67 and col. 8, lines 8-20); and generating the media package for the device (creating media files for media presentation process: col. 18, lines 30-38).

With respect to claim 3, Crow teaches determining basic operating characteristics of the device (col. 8, lines 55-67); and determining when the basic

operating characteristics of the device are supported; and when the basic operating characteristics are supported, retrieving additional attributes corresponding to the device, otherwise informing the device that the basic operating characteristics are not supported (col. 6, lines 60-67 and col. 7, lines 1-30 ; also see co. 26, lines 20-67).

With respect to claim 4, Crow discloses a method as discussed in claim 1.

Crow teaches using graphical user interface for presentation of media, media player display window for displaying, playing, controlling media presentation device (see figs. 3-5) and other digital processing device (col. 7, lines 30-48) and media player (col. 8, lines 40-67) and a network of computer system in which media data may be presented to the Internet and web pages or HTML documents or web contents with the clients of the system via LAN (see fig. 1). Crow teaches HTML documents as a language attribute and does not clearly indicate wherein the rich media presentation is optimized for the device based on the detected attributes.

However, Adams teaches attribute of devices to be detected such as streaming media players for firewalls, security devices used by business and large organization (Page 1, section 0005 and section 0009), bandwidth requirements attribute for streaming media (Page 1, section 0007) and a set of different language audio presentation (Pages 7 and 8, section 0048).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Crow with the teachings of Adams so as to have a set of attributes for streaming media to the computer system over a Internet network from which the system enable to access from a plurality of

users. The motivation being to have a system having GUI for user to access and to control the streaming media for presentation of media data via a time based media player display window over the Internet network.

With respect to claim 5, Crow teaches determining when the rich media presentation is cached within the device (col. 7, lines 20-30); and when cached: determining when there is an update to the rich media presentation available, and when an update is available, providing a different rich media presentation to the device, otherwise utilizing the rich media presentation cached within the device (col. 7, lines 20-48).

With respect to claims 6 and 7, Crow discloses a method as discussed in claim 1.

Crow teaches using graphical user interface for presentation of media, media player display window for displaying, playing, controlling media presentation device (see figs. 3-5) and other digital processing device (col. 7, lines 30-48) and media player (col. 8, lines 40-67) and a network of computer system in which media data may be presented to the Internet and web pages or HTML documents or web contents with the clients of the system via LAN (see fig. 1). Crow teaches HTML documents and does not clearly indicate determining when the rich media presentation is cached on a Content Delivery Network, and when, providing the rich media presentation to the device from the Content Delivery Network, otherwise providing the rich media presentation from an origin server and restricting the providing of the rich media presentation to the device when a Web site the device is visiting is not affiliated with the provider.

However, Adams teaches web content, web page as well as web site displaying audio enabled pages (Page 4, sections, 0035, 0036 and Page 7, section 0046) and restricting the user to access the web page (Page 32, section 0191).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Crow with the teachings of Adams so as to have web content displaying the media information and a set of attributes for streaming media to the computer system over a Internet network from which the system enable to access from a plurality of users. The motivation being to have a system having GUI for user to access and to control the streaming media for presentation of media data via a time based media player display window over the Internet network.

With respect to claim 8, Crow teaches receiving a request for a rich media presentation from the device when the device accesses a page including a request for an include file from the provider (the media package including user interfaces of RealPlayers from RealNetworks for windows Media players such as LaserDisc players: col. 2, lines 18-28, lines 58-67 and col. 3, lines 1-32 and the system is connecting to Internet network to access the HTML documents or web pages: see fig. 1 col. 5, lines 48-67 and col. 6, lines 1-67);

determining when the device is authorized to receive the rich media presentation (media authorizing system: col. 1, lines 55-64) ;

and when detecting attributes relating to the device (one of attribute for detecting devices such as media authoring systems which allow the media to be created and edited (col. 18, lines 28-38 and col. 1, lines 55-65);

generating the rich media presentation for the device when needed (creating media files: col. 18, lines 30-38); and

providing the rich media presentation to the device (transferring the media to device on the system over the Internet network: col. 27, lines 5-8 and col. 8, lines 1-20).

Crow teaches using graphical user interface for presentation of media, media player display window for displaying, playing, controlling media presentation device (see figs. 3-5) and other digital processing device (col. 7, lines 30-48) and media player (col. 8, lines 40-67) and a network of computer system in which media data may be presented to the Internet and web pages or HTML documents or web contents with the clients of the system via LAN (see fig. 1). Crow teaches HTML documents as a language attribute and does not clearly indicate wherein the rich media presentation is optimized for the device based on the detected attributes.

However, Adams teaches attribute of devices to be detected such as streaming media players for firewalls, security devices used by business and large organization (Page 1, section 0005 and section 0009), bandwidth requirements attribute for streaming media (Page 1, section 0007) and a set of different language audio presentation (Pages 7 and 8, section 0048).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Crow with the teachings of

Adams so as to have a set of attributes for streaming media to the computer system over a Internet network from which the system enable to access from a plurality of users. The motivation being to have a system having GUI for user to access and to control the streaming media for presentation of media data via a time based media player display window over the Internet network.

With respect to claim 9, Crow teaches wherein generating the rich media presentation for the device when needed (execution code in the software package to the devices of the system that provides functionality for the presentation of media: col. 26, lines 20-67 and col. 8, lines 8-20 and HTML documents: col. 6, lines 10-22), further comprises generating a virtual player optimized for the device when requested (execution code in the software package to the devices of the system that provides functionality for the presentation of media: col. 26, lines 20-67 and col. 8, lines 8-20); generating a presentation package optimized for the device when requested; and generating a media package for the device when requested (creating media files for media presentation process: col. 18, lines 30-38).

With respect to claim 10, Crow teaches determining basic operating characteristics of the device (col. 8, lines 55-67); and determining when the basic operating characteristics of the device are supported; and when the basic operating characteristics are supported, retrieving additional attributes corresponding to the device, otherwise informing the device that the basic operating characteristics are not supported (col. 6, lines 60-67 and col. 7, lines 1-30 ; also see co. 26, lines 20-67).

With respect to claims 11-13, Crow discloses a method as discussed in claim 8.

Crow teaches using graphical user interface for presentation of media, media player display window for displaying, playing, controlling media presentation device (see figs. 3-5) and other digital processing device (col. 7, lines 30-48) and media player (col. 8, lines 40-67) and a network of computer system in which media data may be presented to the Internet and web pages or HTML documents or web contents with the clients of the system via LAN (see fig. 1). Crow teaches download the media files and does not clearly indicate determining when the rich media presentation is up-to-date within the device; and when, using the rich media presentation within the device, otherwise and providing a different rich media presentation to the device and determining when the rich media presentation is cached on a Content Delivery Network, and when, providing the rich media presentation to the device from the Content Delivery Network, otherwise providing the rich media presentation from an origin server.

However, Adams teaches attribute of devices to be detected such as streaming media players for firewalls, security devices used by business and large organization (Page 1, section 0005 and section 0009), bandwidth requirements attribute for streaming media (Page 1, section 0007) and a set of different language audio presentation (Pages 7 and 8, section 0048) and using streaming media, it is required a user have to download or install and configure a streaming media player (Page 1, sections 0005 and 0007) and web content, web page as well as web site displaying audio enabled pages (Page 4, sections, 0035, 0036 and Page 7, section 0046).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Crow with the teachings of

Adams so as to have download the new version of media player for playing the media presentation and a set of attributes for streaming media to the computer system over a Internet network from which the system enable to access from a plurality of users. The motivation being to have a system having GUI for user to access and to control the streaming media for presentation of media data via a time based media player display window over the Internet network.

Claim 14 is essentially the same as claim 8 except that it is directed to a system rather than a modulated data signal, and is rejected for the same reason as applied to the claim 8 hereinabove.

Claim 15 is essentially the same as claim 9 except that it is directed to a system rather than a modulated data signal, and is rejected for the same reason as applied to the claim 9 hereinabove.

Claim 16 is essentially the same as claim 10 except that it is directed to a system rather than a modulated data signal, and is rejected for the same reason as applied to the claim 10 hereinabove.

Claim 17 is essentially the same as claim 11 except that it is directed to a system rather than a modulated data signal, and is rejected for the same reason as applied to the claim 11 hereinabove.

Claim 18 is essentially the same as claim 12 except that it is directed to a system rather than a modulated data signal, and is rejected for the same reason as applied to the claim 12 hereinabove.

Claim 19 is essentially the same as claim 13 except that it is directed to a system rather than a modulated data signal, and is rejected for the same reason as applied to the claim 13 hereinabove.

Contact Information

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh Ly whose telephone number is 703 306-4527 or via E-Mail: ANH.LY@USPTO.GOV. The examiner can normally be reached on 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene, can be reached on 703 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703 746-7239.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to: Central Office (703) 872-9306 (Central Official Fax Number)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Fourth Floor (receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308-6606 or 703 305-3900.



JEAN M. CORRIEULUS
PRIMARY EXAMINER

ANH LY
MAY 12th, 2004